

FILED

2005 NOV - 3 A 9:52

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

CLERK
U. S. DISTRICT COURT
MIDDLE DIST. OF ALA.
JOE RANGER PICKETT,
Plaintiff,

v.

BOB RILEY, et al.,
Defendants.

CIVIL ACTION NO.
2:05 CV 924-T

NOTICE OF APPEAL AND
MOTION FOR CERTIFICATE OF APPEALABILITY

Comes now the Plaintiff Joe Ranger Pickett, by and through Pro se in the above style Civil Action hereby in good faith and for good cause give Notice of Appeal to the United States Court of Appeals Eleventh Circuit from this district Court order, Judgment, and Decree of dismissal without prejudice & final order pursuant to 28 U.S.C. § 1291. This appeal is not taken to harass the district Court or defendants, but is taken in good faith due to the district Court have in fact abused its discretion for the issue of overcrowding in Alabama prisons is in fact an undisputable issue that is not frivolous and Motion for Certificate of Appealability is due to be GRANTED. Plaintiff request of the Office of the Clerk of the district Court to transmit each and every document and records in this Civil Action and Civil Action No.: 2:05 CV 669-F which is styled Carl Andre Moore, #234270 V. Bob Riley, et al., which is very relevant for the Court of Appeals to get a clear view what is really happening here.

DONE this 2nd day of November 2005.

Respectfully, Joe Ranger Pickett, Plaintiff

CERTIFICATE OF SERVICE

I hereby Certify this 2nd day of November 2005, that a True and Correct Copy of Motion to Appeal in forma Pauperis and Notice to Appeal coupled with Motion for Certificate of Appealability have been served upon the Defendants Attorney by placing in the U. S. Mail Service at Easterling Correctional Facility postage prepaid.

Joe Ranger Pickett, #128361
Joe Ranger Pickett, Plaintiff
Easterling Correctional Facility
200 Wallace Drive
Clio, Alabama 36017